

REMARKS

IDS

A new IDS is filed citing the two non-patent literature documents not considered in the last IDS.

WO '409, which was not considered is equivalent to US '055, which was considered.

The Rejections Under 35 USC § 102 and 103

Claims 1 and 2, and thus, all the remaining dependent claims thereof, recite that the modulation element is "operated at a temperature at which the mesogenic modulation medium in the unaddressed state is in a blue phase." Support for the amendment can be found, for example, on page 9, lines 9 and 17-18, of the specification. None of the cited references teaches or suggests the claimed invention, e.g., none of the cited references even mentions a "blue phase," i.e., an optically isotropic phase below the clearing temperature.

Reconsideration is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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